

REMARKS

With this Amendment, claims 1-3 and 6-8 are canceled. Claims 4, 5, 9, and 10 remain pending in the present application. Also, one paragraph of the Specification has been amended. Reconsideration of the objections and rejections is respectfully requested.

Objection to Drawings

The drawings were objected to for failing to show the “branching portion.” However, the “branching portion” was previously shown in the drawings by optical system 200, which acts as a branching portion when it guides the light returned from the optical disc D in a predetermined direction, such as toward the photodetector 301. As set forth above, the Specification has now been amended to positively recite the “branching portion” as being part of the optical system 200. Accordingly, reconsideration and withdrawal of the objection are respectfully requested.

Claim Rejections – 35 USC § 102

Claims 1, 2, 6, and 7 were rejected under 35 U.S.C. § 102(b) as being anticipated over Japanese Patent Application No. 2000106943 to Teragaki. This rejection is now moot in view of the cancellation of those claims.

Claim Rejections – 35 USC § 102

Claims 3 and 8 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Teragaki in view of Japanese Patent Application No. 2002025104 to Tateno et al. This rejection is also now moot in view of the cancellation of those claims.

Allowable Subject Matter

Applicants appreciate the indication that claims 4, 5, 9, and 10 would be allowable if rewritten in independent form. By this amendment, claims 4, 5, 9, and 10 have been rewritten in independent form as suggested. Accordingly, claims 4, 5, 9, and 10 are now believed allowable.

In view of the above amendments and remarks, Applicants respectfully submit that all the claims are allowable and that the entire application is condition for allowance.

Should the Examiner believe that anything further is desirable to place the application in better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Please charge any fees associated with the submission of this paper to Deposit Account Number 033975. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,

PILLSBURY WINTHROP SHAW PITTMAN LLP



THOMAS P. HILLIARD

Reg. No. 40330

Tel. No. 703.770.7591

Fax No. 703.805.2500

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P.O. Box 10500  
McLean, VA 22102  
(703) 770-7900